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Dated: March 11, 2003

Signature:

Thomas J. Wrope, Ph.D.

Docket No.: 27373/36638A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Weichselbaum, et al.

Application No.: 09/964,042

Group Art Unit: 1635

Filed: September 26, 2001

Examiner: J.E. Angell

For: Treatment of Tumors with Genetically  
Engineered Herpes Virus

Commissioner for Patents  
Washington, DC 20231

**DECLARATION OF JOSEPH A. WILLIAMS, JR.**

I, Joseph A. Williams, Jr., hereby declare as follows:

1. I am Attorney-of-Record in the above-identified application.
2. On September 26, 2001, I filed the above-identified application including a transmittal form, which I signed. Paragraph three (3) of the transmittal form requested insertion of information regarding related U.S. application and their relationship to the above-identified application into the specification. The inserted text read, "This is a Continuation of U.S. application Serial No. 09/629,021, filed July 31, 2000."
3. Because U.S. application Serial No. 09/629,021 was itself a Continuation of U.S. application Serial No. 09/244,748, the inserted text should have properly read, "This is a Continuation of U.S. application Serial No. 09/629,021, filed July 31, 2000, which is a Continuation of U.S. application Serial No. 09/244,748, filed February 5, 1999, now abandoned." The Filing Receipt from U.S. application Serial No. 09/244,748 is attached as Exhibit A.

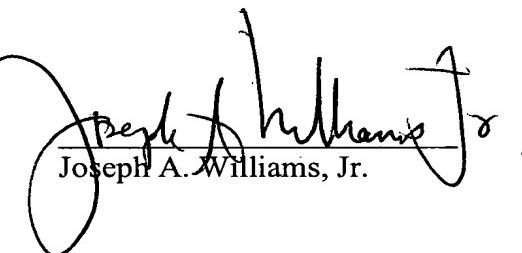
Application No.: 09/964,042

4. When preparing and filing the above-identified application, I did not intentionally omit the relationship to U.S. application Serial No. 09/244,748. The omission was an oversight on my part.

5. I was not aware of the omission until Thomas J. Wrona brought it to my attention.

6. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Dated: March 11, 2003



Joseph A. Williams, Jr.